

# EXHIBIT 5

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ASETEK DANMARK A/S, )  
)  
Plaintiff and )  
Counter-Defendant, )  
)  
vs. ) Case No. 3:19-cv-00410-EMC  
)  
COOLIT SYSTEMS, INC., )  
)  
Defendant and )  
Counter-Claimant. )  
)  
COOLIT SYSTEMS USA INC., )  
COOLIT SYSTEMS ASIA PACIFIC )  
LIMITED, COOLIT SYSTEMS )  
(SHENZHEN) CO., LTD., )  
)  
Defendants, )  
)  
COSAIR GAMING INC., and )  
CORSAIR MEMORY INC., )  
)  
Defendants. )  
)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
DEPOSITION OF DAVID TUCKERMAN, Ph.D.  
MONDAY, DECEMBER 22, 2021

Reported Remotely and Stenographically by:  
JANIS JENNINGS, CSR No. 3942, CLR, CCRR  
Job No. 4997336

Page 1

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6  
7 REMOTE DEPOSITION OF DAVID TUCKERMAN, Ph.D., located  
8 in Lake Stevens, Washington, taken on behalf of the  
9 Defendants and Counter-Claimants CoolIT entities and  
10 Corsair entities, beginning at 9:10 a.m., on Wednesday,  
11 December 22, 2021, sworn remotely by Janis Jennings,  
12 Certified Shorthand Reporter No. 3942, CLR, CCRR,  
13 located in the City of Walnut Creek, County of  
14 Contra Costa, State of California.  
15  
16  
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19  
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23  
24  
25

1 REMOTE APPEARANCES:

2  
3 For Plaintiff and Counter-Defendant Asetek Danmark

4 A/S:

5 FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP

6 BY: ARPITA BHATTACHARYYA, ESQ.

7 3300 Hillview Avenue

8 Palo Alto, California 94304

9 650.849.6600

10 arpita.byattacharyya@finnegan.com

11  
12 For Defendants and Counter-Claimant CoolIT entities and

13 Corsair entities:

14 COOLEY RLLP

15 BY: REUBEN CHEN, ESQ.

16 DUSTIN KNIGHT, ESQ.

17 3175 Hanover Street

18 Palo Alto, California 94304

19 650.843.5000

20 rchen@cooley.com

21 dknight@cooley.com

22  
23 Also Present:

24 SOSEH KEVORKIAN, Videographer

I N D E X

WITNESS

PAGE

DAVID TUCKERMAN, Ph.D.

EXAMINATION BY MR. KNIGHT

9

QUESTIONS NOT ANSWERED

PAGE

LINE

53

24

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## PREVIOUSLY MARKED EXHIBITS

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1 WEDNESDAY, DECEMBER 22, 2021; 9:10 A.M.

2  
3 09:05

4 THE VIDEOGRAPHER: Good morning. We are 09:05  
5 going on the record at 9:10 a.m. on December 22nd, 09:10  
6 2021. This is media unit 1 of the video recorded 09:10  
7 deposition of Dr. David Tuckerman taken by counsel 09:10  
8 for defendant in the matter of Asetek Danmark A/S 09:10  
9 versus CoolIT Systems, Incorporated and all related 09:11  
10 cross actions, filed in the United States District 09:11  
11 Court for the Northern District of California. Case 09:11  
12 number 3:19-cv-00410-EMC. 09:11

13 This deposition is being held by Veritext 09:11  
14 Virtual via Zoom web conferencing. My name is Soseh 09:11  
15 Kevorkian from the firm Veritext and I'm the 09:11  
16 videographer. Our court reporter is Janis Jennings 09:11  
17 also from the firm Veritext. 09:11

18 At this time, would counsel and all present 09:11  
19 please identify themselves for the record. 09:11

20 MR. KNIGHT: I am Dustin -- oh, go ahead, 09:11  
21 Arpita. 09:11

22 MS. BHATTACHARYYA: No, go ahead, Dustin. 09:11  
23 Go ahead. 09:11

24 MR. KNIGHT: Thank you. Thank you. 09:11

25 You have Dustin Knight and my colleague 09:11

1 Reuben Chen with Cooley LLP on behalf of CoolIT and 09:11  
2 Corsair. 09:11  
3 MS. BHATTACHARYYA: Arpita Bhattacharyya 09:11  
4 from Finnegan LLP on behalf of plaintiffs Asetek 09:12  
5 Denmark A/S. 09:12  
6 THE WITNESS: And I'm David Bazeley 09:12  
7 Tuckerman. 09:12  
8 THE VIDEOGRAPHER: Okay. Thank you. 09:12  
9 Janis, whenever you are ready. 09:12  
10  
11 DAVID TUCKERMAN, Ph.D.,  
12 the witness herein, was sworn and  
13 testified as follows:  
14 09:12  
15 DEPOSITION REPORTER: Thank you. 09:12  
16 Please begin, Counsel. 09:12  
17  
18 EXAMINATION 09:12  
19 BY MR. KNIGHT: 09:12  
20 Q. Good morning, Mr. Tuckerman. 09:12  
21 A. Good morning. 09:12  
22 Q. How are you doing today? 09:12  
23 A. I am okay. Thank you. 09:12  
24 Q. Great. I'm doing very well. Thank you for 09:12  
25 asking. 09:12

1 Q. Great. 09:16

2 A. Yeah.

3 Q. Okay. Okay. Dr. Tuckerman, when did you 09:16

4 begin preparing your rebuttal report on 09:16

5 noninfringement? 09:16

6 A. Well, it -- I think it would have been 09:16

7 very -- well, it would have been after the report 09:16

8 came in, which -- I mean, it would have been after 09:16

9 seeing [audio interference] submission so 09:16

10 mid/early -- early December. 09:16

11 Q. Okay. And who did you speak with in 09:17

12 preparing your rebuttal report on noninfringement? 09:17

13 A. Oh, Counsel, Arpita. 09:17

14 Q. Was there anyone else? 09:17

15 A. I mean there was -- Rob McCauley gave me 09:17

16 some pointers on deposition protocol, but the 09:17

17 technical aspects of the report were all with 09:17

18 Arpita. 09:17

19 Q. Okay, great. And, Dr. Tuckerman, your 09:17

20 counsel would already tell you this, but you should 09:17

21 not divulge any confidential information in terms of 09:17

22 conversations that you've had with your attorneys. 09:17

23 Do you understand that? 09:17

24 A. Right. Okay. Yeah, I understand. 09:17

25 Q. Great. Great. 09:17

1 Dr. Tuckerman, have you ever spoken with 09:18  
2 anyone at Asetek? 09:18  
3 A. I have not spoken with anyone from Asetek. 09:18  
4 Q. Okay. Okay. And do you speak Danish, 09:18  
5 Dr. Tuckerman? 09:18  
6 A. No, I do not. 09:18  
7 Q. Okay. Do you read Danish? 09:18  
8 A. I can't say that I do. 09:18  
9 Q. Okay. Okay. Now, did you review any of 09:18  
10 Asetek's documents in preparing your rebuttal 09:18  
11 report? 09:18  
12 A. There -- well, there was a -- I mean, there 09:18  
13 was a deposition from Eriksen that I recall. The -- 09:18  
14 there was -- I mean, there was -- can I see the 09:18  
15 Materials Considered list? 09:19  
16 Q. Yes. It should be in the folder, so feel 09:19  
17 free to review that to refresh your recollection. 09:19  
18 DEPOSITION REPORTER: Dr. Tuckerman, I think 09:19  
19 we're getting your notifications in the audio, if 09:19  
20 you're able to shut that off, please. 09:19  
21 THE WITNESS: I don't -- really? 09:19  
22 DEPOSITION REPORTER: Well, it was 09:19  
23 somebody's. I thought it was yours, but I could be 09:19  
24 wrong. 09:19  
25 THE WITNESS: I'm not hearing anything. I

1 mean, what I could do is -- let me -- I mean, I had 09:19  
2 my mail open so that is where I had to go to open up 09:19  
3 this Zoom meeting. So I closed my email. 09:19  
4 There's -- let's see -- I think -- I'm hoping you 09:20  
5 won't hear any more. I mean, I didn't hear 09:20  
6 anything, but anyway... 09:20  
7 DEPOSITION REPORTER: Thank you. 09:20  
8 THE WITNESS: I don't know if it was me. 09:20  
9 Okay. So you asked about -- what was your 09:20  
10 question again? 09:20  
11 BY MR. KNIGHT: 09:20  
12 Q. Sure. I just asked you if you reviewed any 09:20  
13 Asetek documents in preparing your rebuttal 09:20  
14 noninfringement report. 09:20  
15 A. I don't see anything here other than the 09:20  
16 deposition transcript of Andre Eriksen taken on 09:21  
17 August 24th and 25th. So that's it. 09:21  
18 Q. Okay. And that Materials Considered list, 09:21  
19 is that a complete list of the materials that you 09:21  
20 reviewed in preparing your noninfringement report? 09:21  
21 A. As far as I can recall, yes. 09:21  
22 Q. Okay. Okay. Now, for the opinions in your 09:21  
23 rebuttal report, did you write those opinions? 09:21  
24 A. They were written in collaboration with 09:21  
25 counsel. 09:21

1  
2  
3  
4  
5 I, David B. Tuckerman, do hereby declare under  
6 penalty of perjury that I have read the foregoing  
7 transcript; that I have made corrections as appear  
8 noted, in ink, initialed by me, or attached hereto; that  
9 my testimony as contained herein, as corrected, is true  
10 and correct.

11 EXECUTED this \_\_\_\_ day of \_\_\_\_\_,  
12 2022, at \_\_\_\_\_, \_\_\_\_\_.  
13 (City) (State)

14  
15  
16  
17 \_\_\_\_\_  
David B. Tuckerman  
18  
19  
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1 I, JANIS JENNINGS, CSR No. 3942, Certified  
2 Shorthand Reporter, certify:

3 That the foregoing proceedings were taken  
4 before me at the time and place therein set forth, at  
5 which time the witness was duly sworn by me;

6 That the testimony of the witness, the  
7 questions propounded, and all objections and statements  
8 made at the time of the examination were recorded  
9 stenographically by me and were thereafter transcribed;

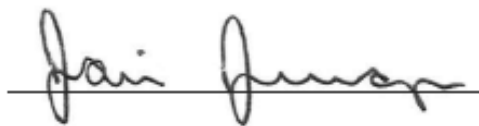
10 That the foregoing pages contain a full, true  
11 and accurate record of all proceedings and testimony.

12 Pursuant to F.R.C.P. 30(e)(2) before  
13 completion of the proceedings, review of the transcript  
14 [X] was [ ] was not requested.

15 I further certify that I am not a relative or  
16 employee of any attorney of the parties, nor financially  
17 interested in the action.

18 I declare under penalty of perjury under the  
19 laws of California that the foregoing is true and  
20 correct.

21 Dated this 3rd day of January 2022.

22  
23 

24 JANIS JENNINGS, CSR NO. 3942

25 CLR, CCRR